

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>SHARON RITCHIE,</b>	)	<b>CASE NO. 1:07CV991</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE CHRISTOPHER A. BOYKO</b>
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>COMMISSIONER OF SOCIAL</b>	)	
<b>SECURITY,</b>	)	
<b>Defendant.</b>	)	

**CHRISTOPHER A. BOYKO, J.:**

On February 19, 2009, Defendant's final determination was reversed and remanded to the Agency for further proceedings pursuant to 42 U.S.C. § 405(g). (ECF DKT #22). On April 2, 2009, Plaintiff filed a Motion for an Award of Attorney Fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(a), in the amount of \$1,937.50. (ECF DKT #24). The Motion was referred to the Magistrate Judge pursuant to Fed. R. Civ. P. 72(b) and Local Rule 72.3(b). (ECF DKT #26). On April 27, 2009, the Magistrate Judge found the Defendant's litigation position was substantially justified, and recommended that Plaintiff's Motion for an Award of Attorney Fees be denied. (ECF DKT #27).

Fed. R. Civ. P. 72(b) provides that objections to a Report and Recommendation must

be filed within ten (10) days after service, but Plaintiff has failed to timely filed any such objections. Therefore, the Court must assume that Plaintiff is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. *Thomas v. Arn*, 728 F.2d 813 (6<sup>th</sup> Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *Howard v. Secretary of Health and Human Services*, 932 F.2d 505 (6<sup>th</sup> Cir. 1991); *United States v. Walters*, 638 F.2d 947 (6<sup>th</sup> Cir. 1981).

Therefore, the Magistrate Judge's Report and Recommendation is **ADOPTED** and Plaintiff's Motion for an Award of Attorney Fees (ECF DKT #24) is **DENIED**.

**IT IS SO ORDERED.**

**DATE: May 28, 2009**

**S/Christopher A. Boyko**  
**CHRISTOPHER A. BOYKO**  
**United States District Judge**